

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
NORTHERN DIVISION
No. 2:05-CR-13-BO
No. 2:07-CV-49-BO

DARREN ANTONIO GRIFFIN,)
)
 Petitioner,)
 v.)
)
 UNITED STATES OF AMERICA,)
)
 Respondent.)
)

ORDER

This matter is before the Court on Petitioner's Motion for Certificate of Appealability.

The Court denied a certificate of appealability in an Order entered June 10, 2010. D.E. #64.

Petitioner fails to raise any issues that the Court did not previously consider or any new evidence to suggest a certificate of appealability is appropriate in this matter.

A certificate of appealability shall not issue absent "a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2) (2000). A petitioner satisfies this standard by demonstrating that reasonable jurists would find that an assessment of the constitutional claims is debatable and that any dispositive procedural ruling dismissing such claims is likewise debatable.

Miller-El v. Cockrell, 537 U.S. 322, 336-38 (2003); *Rose v. Lee*, 252 F.3d 676, 683-84 (4th Cir. 2001). Because reasonable jurists would not find Petitioner's claims debatable, a certificate of appealability is DENIED.

SO ORDERED.

This 30 day of June, 2010.


TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE